

REMARKS

Claims 1-26 have been canceled. Claims 27-33 have been added and are the only claims pending. Claims 27-33 are supported by original claims 1-26. Additional support for the term "fragment" in claims 27 and 28 can be found in the specification, including, for example, at pages 3-4 and 17, which explain that the nucleic acid molecules of the invention include fragments of the full length sequences of various viral genes. For example, the specification states that the nucleotide sequences of the invention "are contained in one of the nucleotide sequences included in [various viral] genes . . ." (Specification, pages 3-4.) Similarly, as explained in the specification, Tables I to XI represent the size of numerous nucleotide **fragments** generated by amplifying genomic DNA with assorted pairs of primers according to the invention. (Specification, page 17.) If the specification describes nucleotide fragments of various viral genes, it follows that translation of these nucleotide fragments will yield polypeptide fragments of the corresponding viral proteins. (Specification, page 26.) Thus, no new matter has been added.

Sequence Listing

Applicants declare that the computer readable form in this application is identical with that filed in application Serial No. 08/472,928, (hereinafter "the '928 application"). Therefore, applicants request, in accordance with 37 C.F.R. § 1.821(e), that the first-filed computer readable form filed in the '928 application be used as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date

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Rule 1.53 cont. of U.S. Serial No. 09/092,077

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for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is attached hereto and has been inserted into the specification as set forth above. Applicants have also amended the specification and claims to comply with the requirements of 37 C.F.R. § 1.821(d).

I hereby state that the content of the Sequence Listing and the computer-readable copies of the Sequence Listing submitted in accordance with 37 C.F.R. § 1.821 (c) and (e), respectively, are the same.

I further state that the submission, filed in accordance with 37 C.F.R. § 1.821 (g) herein, does not include new matter.

If there is any fee due in connection with the filing of this Preliminary Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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By:

  
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